

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY COMPANY as
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY – STATE OF NEW YORK,
TDX CONSTRUCTION CORP. and KOHN PEDERSEN
FOX ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK
AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

vs.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

vs.

CAROLINA CASUALTY INSURANCE COMPANY; BARTEC
INDUSTRIES, INC.; DAYTON SUPERIOR SPECIALTY
CHEMICAL CORP. a/k/a DAYTON SUPERIOR CORPORATION;
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC;
KEMPER CASUALTY INSURANCE COMPANY d/b/a KEMPER
INSURANCE COMPANY; GREAT AMERICAN INSURANCE
COMPANY; NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA; UNITED STATES FIRE
INSURANCE COMPANY; ALLIED WORLD ASSURANCE

RECEIVED

DATE

07-CV-6915 (DLC)

ECF CASE

**MOTION TO
ADMIT COUNSEL
PRO HAC VICE
-DAVID N. LARSON**

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
2008 FEB 25 PM 7:52
S.D. OF N.Y.

042876 2-25-08 546 9282150

COMPANY (U.S.) INC. f/k/a COMMERCIAL UNDERWRITERS :
INSURANCE COMPANY; ZURICH AMERICAN INSURANCE' :
COMPANY d/b/a ZURICH INSURANCE COMPANY; OHIO :
CASUALTY INSURANCE COMPANY d/b/a OHIO CASUALTY :
GROUP; HARLEYSVILLE MUTUAL INSURANCE COMPANY :
(a/k/a HARLEYSVILLE INSURANCE COMPANY); JOHN DOES :
1-20 and XYZ CORPS. 1-20, :

Fourth-Party Defendants. :

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Michael S. Miller, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission, pro hac vice, of:

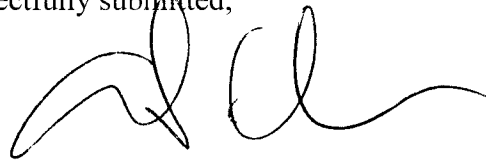
Applicant's Name: David N. Larson
Firm Name: Bollinger, Ruberry & Garvey
Address: 500 West Madison Street, 23rd Floor
City/State/Zip: Chicago, Illinois 60661
Telephone: (312) 466-8000
Fax: (312) 466-8001
Email address: david.larson@brg-law.net

David N. Larson is a member in good standing of the Bars of the States of Illinois and California. There are no pending disciplinary proceedings against David N. Larson in any state or federal court. Attached hereto are a Certificate of Admission To the Bar of Illinois and a Certificate of good standing from The State Bar of California for Mr. Larson.

Dated: February 21, 2008
New York, New York

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read 'MSM', written over a horizontal line.

Michael S. Miller

Tompkins, McGuire, Wachenfeld & Barry, LLP
140 Broadway
51st Floor
New York, New York 10005
(212) 714-1720

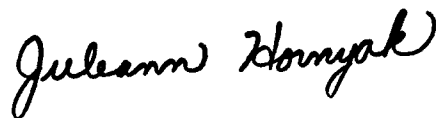
Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

David Norman Larson

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on December 6, 1994 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto
placed my hand and affixed the seal
of said Supreme Court, at Springfield,
in said State, this Thursday, January 24, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

January 30, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DAVID NORMAN LARSON, #171630 was admitted to the practice of law in this state by the Supreme Court of California on September 12, 1994; that from the date of admission to February 6, 1995, he was an ACTIVE member of the State Bar of California; that on February 6, 1995, he transferred at his request to the INACTIVE status as of January 1, 1995; that from that date to February 25, 1999, he was an INACTIVE member of the State Bar of California; that on February 25, 1999, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over the printed name.

Kath Lambert
Custodian of Membership Records

DECLARATION OF SERVICE

The undersigned hereby declares, under penalty of perjury, that on February 21, 2008, he caused a true copy of the foregoing Motion and the supporting Declaration of Michael S. Miller. to be served via first class mail upon counsel for the various parties as follows:

JoAnne M. Bonacci, Esq.

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Attorney for Fourth-Party Defendants

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AMERICAN ALLIANCE INSURANCE COMPANY,

AMERICAN NATIONAL FIRE INSURANCE COMPANY

and GREAT AMERICAN INSURANCE COMPANY OF NEW YORK

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Erika L. Aljens, Esq.

GREEN & LAVELLE

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and TDX CONSTRUCTION CORP.*

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Lance J. Kalik, Esq.

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Attorneys for Fourth-Party Defendant,
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(a/k/a HARLEYSVILLE INSURANCE COMPANY)*

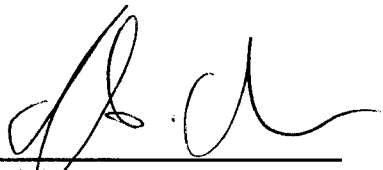
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Jeremy Platek, Esq.
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Fax: (914) 328-3184

DATED: February 21, 2008



Michael S. Miller

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY COMPANY as
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

VS.

DORMITORY AUTHORITY – STATE OF NEW YORK,
TDX CONSTRUCTION CORP. and KOHN PEDERSEN
FOX ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK
AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

VS.

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Third-Party Defendant.

TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

VS.

CAROLINA CASUALTY INSURANCE COMPANY; BARTEC :
INDUSTRIES, INC.; DAYTON SUPERIOR SPECIALTY :
CHEMICAL CORP. a/k/a DAYTON SUPERIOR CORPORATION: :
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC; :
KEMPER CASUALTY INSURANCE COMPANY d/b/a KEMPER: :
INSURANCE COMPANY; GREAT AMERICAN INSURANCE :
COMPANY; NATIONAL UNION FIRE INSURANCE :
COMPANY OF PITTSBURGH, PA; UNITED STATES FIRE :
INSURANCE COMPANY; ALLIED WORLD ASSURANCE :

07-CV-6915 (DLC)
ECF CASE

**DECLARATION OF
MICHAEL S. MILLER
IN SUPPORT OF
MOTION TO ADMIT
COUNSEL
PRO HAC VICE**

COMPANY (U.S.) INC. f/k/a COMMERCIAL UNDERWRITERS :
 INSURANCE COMPANY; ZURICH AMERICAN INSURANCE' :
 COMPANY d/b/a ZURICH INSURANCE COMPANY; OHIO :
 CASUALTY INSURANCE COMPANY d/b/a OHIO CASUALTY :
 GROUP; HARLEYSVILLE MUTUAL INSURANCE COMPANY :
 (a/k/a HARLEYSVILLE INSURANCE COMPANY); JOHN DOES :
 1-20 and XYZ CORPS. 1-20, :
 :
 :
 _____ Fourth-Party Defendants. :

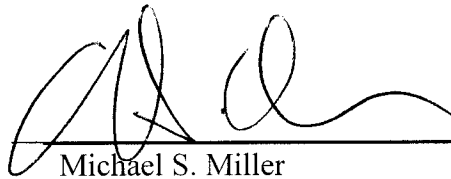
Michael S. Miller, of full age, subscribes and affirms under penalty of perjury as follows,
 pursuant to 28 U.S.C. §1746:

1. I am a partner at Tompkins, McGuire, Wachenfeld & Barry, LLP, counsel to Fourth-Party Defendant Lumbermens Mutual Casualty Company ("LMC"), improperly sued as Kemper Casualty Insurance Company d/b/a Kemper Insurance Company in the above-captioned action. I am fully familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of LMC's motion to admit David N. Larson as counsel, pro hac vice, to represent LMC in this matter.
2. I am a member in good standing of the bars of the State of New York and the State of New Jersey and was admitted to practice law in the State of New York in 1986. I am also admitted to the bars of the United States Courts of Appeals for the Second and Third Circuits, the United States District Courts for the Southern District of New York, the Eastern District of New York and the District of New Jersey, and am in good standing with those Courts.
3. Mr. Larson is a partner at Bollinger, Ruberry & Garvey in Chicago, Illinois.

4. I have worked with numerous attorneys at Bollinger, Ruberry & Garvey in Chicago, Illinois for several years on several matters and have found them to be skilled attorneys and persons of integrity. They are experienced in federal practice and are familiar with the Federal Rules of Civil Procedure.
5. Accordingly, I am pleased to move for the admission of David N. Larson, pro hac vice.
6. I respectfully submit a proposed order granting the admission of David N. Larson, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that this motion to admit David N. Larson, pro hac vice, to represent Fourth-Party Defendant LMC in the above-captioned matter, be granted.

DATED: February 21, 2008



Michael S. Miller

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY COMPANY as
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

VS.

DORMITORY AUTHORITY – STATE OF NEW YORK,
TDX CONSTRUCTION CORP. and KOHN PEDERSEN
FOX ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK
AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

VS.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

VS.

CAROLINA CASUALTY INSURANCE COMPANY; BARTEC :
INDUSTRIES, INC.; DAYTON SUPERIOR SPECIALTY :
CHEMICAL CORP. a/k/a DAYTON SUPERIOR CORPORATION: :
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC; :
KEMPER CASUALTY INSURANCE COMPANY d/b/a KEMPER: :
INSURANCE COMPANY; GREAT AMERICAN INSURANCE :
COMPANY; NATIONAL UNION FIRE INSURANCE :
COMPANY OF PITTSBURGH, PA; UNITED STATES FIRE :
INSURANCE COMPANY; ALLIED WORLD ASSURANCE :
COMPANY (U.S.) INC. f/k/a COMMERCIAL UNDERWRITERS :
INSURANCE COMPANY; ZURICH AMERICAN INSURANCE':

07-CV-6915 (DLC)
ECF CASE

**: ORDER FOR
: ADMISSION
: PRO HAC VICE
: OF DAVID N.
: LARSON
: ON WRITTEN
: MOTION**

COMPANY d/b/a ZURICH INSURANCE COMPANY; OHIO :
CASUALTY INSURANCE COMPANY d/b/a OHIO CASUALTY :
GROUP; HARLEYSVILLE MUTUAL INSURANCE COMPANY :
(a/k/a HARLEYSVILLE INSURANCE COMPANY); JOHN DOES :
1-20 and XYZ CORPS. 1-20, :

Fourth-Party Defendants. _____

Upon the motion of Michael S. Miller, attorney for Lumbermens Mutual Casualty Company and said sponsor attorney's declaration in support,

IT IS HEREBY ORDERED that:

Applicant's Name: David N. Larson
Firm Name: Bollinger, Ruberry & Garvey
Address: 500 West Madison Street, 23rd Floor
City/State/Zip: Chicago, Illinois 60661
Telephone/Fax: (312) 466-8000 / (312) 466-8001
Email address: david.larson@brg-law.net

is admitted to practice pro hac vice for Fourth-Party Defendant Lumbermens Mutual Casualty Company, improperly sued as Kemper Casualty Insurance Company, d/b/a Kemper Insurance Company, in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including Rules governing discipline of attorneys. Counsel shall immediately apply for an ECF password at nyds.courts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

United States District / Magistrate Judge